

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHRISTOPHER C. LUKE

PLAINTIFF

VS.

CIVIL ACTION NO. 3:14cv240 DPJ-FKB

NESHOBA COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

DEPOSITION OF JIMMY REID

Taken at the instance of the Plaintiff at

Wade White, PLLC

501 West Main Street

Philadelphia, Mississippi

Wednesday, April 1st, 2015

Commencing at 11:01 a.m.

Reported by:

Katherine Lusk, CCR 1731

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 COUNSEL FOR THE PLAINTIFF:</p> <p>4 ROBERT O. WALLER, ESQUIRE</p> <p>5 WALLER & WALLER</p> <p>6 220 South President Street</p> <p>7 Jackson, Mississippi 39201</p> <p>8 Post Office Box 4</p> <p>9 Jackson, Mississippi 39205-0004</p> <p>10 Phone: (601) 354-5252</p> <p>11 Fax: (601) 354-2681</p> <p>12 bobwaller@wallerandwaller.com</p> <p>13</p> <p>14 COUNSEL FOR THE DEFENDANTS:</p> <p>15 STEVEN J. GRIFFIN, ESQUIRE</p> <p>16 DANIEL COKER HORTON & BELL</p> <p>17 4400 Old Canton Road, Suite 400</p> <p>18 Jackson, Mississippi 39211-5982</p> <p>19 4400 Old Canton Road, Suite 400</p> <p>20 Jackson, Mississippi 39211-5982</p> <p>21 Phone: (601) 969-7607</p> <p>22 Fax: (601) 969-1116</p> <p>23 sgriffin@danielcoker.com</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 JIMMY REID,</p> <p>2 having first been duly sworn, was examined and testified</p> <p>3 as follows:</p> <p>4 MR. WALLER: Okay. This deposition is being</p> <p>5 taken pursuant to notice and Rules of Civil Procedures.</p> <p>6 Objections except as to form will be observed for the</p> <p>7 trial of the matter.</p> <p>8 BY MR. WALLER:</p> <p>9 Q. Please state your name as it exists on your birth</p> <p>10 certificate.</p> <p>11 A. Jimmy Hugh Reid.</p> <p>12 Q. Okay. And you're address, home address?</p> <p>13 A. 15180 Road 505, Philadelphia, Mississippi 39350.</p> <p>14 Q. How long have you lived at that address?</p> <p>15 A. Twelve years, probably.</p> <p>16 Q. Where were you born?</p> <p>17 A. Ackerman, Mississippi.</p> <p>18 Q. Date of birth?</p> <p>19 A. 10/08/1968.</p> <p>20 Q. Education? High school?</p> <p>21 A. Ackerman High School, graduated in 1986.</p> <p>22 Q. College?</p> <p>23 A. Mississippi State University.</p> <p>24 Q. Degree?</p> <p>25 A. No, I do not. I went three or four years, but I</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX</p> <p>2</p> <p>3 Style.....1</p> <p>4 Appearances.....2</p> <p>5 Index.....3</p> <p>6 Examination by Mr. Waller.....4</p> <p>7 Examination by Mr. Griffin.....32</p> <p>8 Certificate of the Court Reporter.....35</p> <p>9 Certificate of the Deponent.....36</p> <p>10</p> <p>11 EXHIBITS</p> <p>12</p> <p>13 1 - Health Care Services.....31</p> <p>14 2 - Staff and Inmate Movement.....8</p> <p>15 3 - Policy and Procedure Directives.....7</p> <p>16 4 - Incident Report/Statement.....9</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 haven't got a degree.</p> <p>2 Q. All right. Work history?</p> <p>3 A. I've been a law enforcement officer for the past</p> <p>4 25 years. I'm working on my 26th year with Ackerman</p> <p>5 Police Department. Very briefly with Lauderdale County</p> <p>6 Sheriff's Department in their jail, and I've been with</p> <p>7 Philadelphia Police Department from 1993 until 2008.</p> <p>8 And on June 1st of 2008, I was -- took over as the jail</p> <p>9 administrator for Neshoba County Sheriff's Department.</p> <p>10 Q. Are you married?</p> <p>11 A. No.</p> <p>12 Q. Children?</p> <p>13 A. Yes.</p> <p>14 Q. Names and ages?</p> <p>15 A. I have two older children from a first marriage.</p> <p>16 Jim is 18; Conner is 15. And I have two children from a</p> <p>17 previous marriage that are younger. Jaden is eight, and</p> <p>18 Rylan is six.</p> <p>19 Q. Do you have other family that lives in Neshoba</p> <p>20 County?</p> <p>21 A. Yes.</p> <p>22 Q. What are their last names?</p> <p>23 A. Keen, K-E-E-N. My sister.</p> <p>24 Q. Keen, okay. Have you given a deposition before?</p> <p>25 A. I do not recall having giving a civil deposition.</p>

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<p style="text-align: right;">Page 6</p> <p>1 Q. Ever been a defendant before?</p> <p>2 A. In a civil matter?</p> <p>3 Q. Yes, sir.</p> <p>4 A. Yes.</p> <p>5 Q. Was it pertaining to your work?</p> <p>6 A. Yes.</p> <p>7 Q. Was it with Neshoba?</p> <p>8 A. Yes.</p> <p>9 Q. Is it currently pending?</p> <p>10 A. No, sir. It was dismissed without action, I</p> <p>11 guess.</p> <p>12 Q. Are you on any kind of medication today that</p> <p>13 would affect your ability to respond to the questions?</p> <p>14 A. No, sir, other than the medicines that I normally</p> <p>15 take.</p> <p>16 Q. Okay. You have been a jail administrator for</p> <p>17 seven years. Is that right?</p> <p>18 A. That sounds correct.</p> <p>19 Q. Did you know Chris Luke prior to his arrest on</p> <p>20 the 25th?</p> <p>21 A. Yes.</p> <p>22 Q. Have you had any altercations with him prior to</p> <p>23 the 25th or had any experience with him being combative?</p> <p>24 A. No. I've never had any altercation with him.</p> <p>25 I've just been knowing him.</p>	<p style="text-align: right;">Page 8</p> <p>1 A. We do.</p> <p>2 Q. All right. When have you been through these</p> <p>3 policies and procedures with your employees?</p> <p>4 A. We've had everyone to read them individually, and</p> <p>5 then at one point in time, we had them all to sign that</p> <p>6 they had read and understood the policies.</p> <p>7 Q. And that applies to the -- what's Exhibit 2,</p> <p>8 Staff and Inmate Movement. Is that correct?</p> <p>9 A. That's part of the policies and procedures. Yes,</p> <p>10 sir.</p> <p>11 Q. So the same thing applies to both of these</p> <p>12 documents?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Do you have any additional policies and</p> <p>15 procedures besides these two documents?</p> <p>16 A. No, sir. The jail operates off the manual that</p> <p>17 was there when I arrived.</p> <p>18 Q. Were you on -- were you working the day of this</p> <p>19 incident?</p> <p>20 A. Yes.</p> <p>21 Q. Were you involved in the incident in any way?</p> <p>22 A. Yes.</p> <p>23 Q. Well, tell me what your involvement was.</p> <p>24 A. I was --</p> <p>25 Q. Is it outlined in that statement in front you of?</p>
<p style="text-align: right;">Page 7</p> <p>1 Q. Did you know of him to be combative prior to the</p> <p>2 25th incident?</p> <p>3 A. No, sir, not in my dealings with him.</p> <p>4 Q. Okay. What certificates do you have -- training</p> <p>5 certificates?</p> <p>6 A. I'm certified through the Mississippi Board of</p> <p>7 Law and Enforcement Standards of Training.</p> <p>8 Q. What's the date of that certification?</p> <p>9 A. 1990. I don't know the exact date.</p> <p>10 Q. Do you have any specific jail training?</p> <p>11 A. As far as -- no. The Mississippi Board of</p> <p>12 Minimum Standards doesn't require the -- if a jailer has</p> <p>13 a Minimum Standard's certificate, they're exempt from</p> <p>14 going to jail officer school.</p> <p>15 Q. I want to ask you about these documents here. I</p> <p>16 received these yesterday from your attorney. Are you</p> <p>17 familiar with these documents?</p> <p>18 A. Yes.</p> <p>19 Q. This documents here?</p> <p>20 A. Yes.</p> <p>21 Q. And, yes, being Exhibit 3 which is the Policy and</p> <p>22 Procedure Directives from Neshoba County Law Enforcement</p> <p>23 Center. Now, these policies are dated '94 and '95.</p> <p>24 They preexisted your tenure. Have you -- do you use</p> <p>25 these in your training?</p>	<p style="text-align: right;">Page 9</p> <p>1 A. It is.</p> <p>2 Q. Okay. Well, let's just go your over statement to</p> <p>3 make it easy. Why don't you read it, if you would.</p> <p>4 A. In it's entirety?</p> <p>5 Q. Well, let's see. May not want to read --</p> <p>6 A. I have no problem with it.</p> <p>7 Q. Why don't you read -- read the page, and then</p> <p>8 we'll discuss it.</p> <p>9 A. Okay. "On 5/28/13 around 1445 hours, Officer</p> <p>10 Crockett called and told me that the other officers were</p> <p>11 fighting with an inmate trying to get him under control.</p> <p>12 I went to B Block and found Officers Hickman, Walker,</p> <p>13 and Guess on the floor with an inmate that I soon</p> <p>14 learned to be Chris Luke. Chris was fighting the</p> <p>15 officers and would not give them his hand to be</p> <p>16 restrained. I put my knee into his neck in an attempt</p> <p>17 to restrain him and tried to get his right arm behind</p> <p>18 him. He had one-half of a pair of handcuffs on his</p> <p>19 right wrist and kept trying to keep that wrist and arm</p> <p>20 underneath his body."</p> <p>21 Would you like me to continue?</p> <p>22 Q. I want you to hold that a minute. Now, this --</p> <p>23 this report is dated 5/30. Is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Did you have the benefit of the other reports</p>

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<p style="text-align: right;">Page 10</p> <p>1 when you made your report?</p> <p>2 A. I do not remember. It appears from me reading</p> <p>3 over my report that I just simply wrote down exactly</p> <p>4 what I knew about it.</p> <p>5 Q. Now, do you know why they were -- why they were</p> <p>6 restraining Chris Luke when you entered the room and put</p> <p>7 your knee on his neck?</p> <p>8 A. He was fighting, and I did not know why.</p> <p>9 Q. Okay. So it was four of you, and your testimony</p> <p>10 is that the four of you could not restrain him?</p> <p>11 A. Mr. Guess was not -- when I got back there, Mr.</p> <p>12 Guess was not actually actively involved.</p> <p>13 Q. Was he standing there?</p> <p>14 A. He was in the room there. I don't know whether</p> <p>15 he was trying to keep the other inmates -- watching them</p> <p>16 or whatever, but the rest of us had a hard time getting</p> <p>17 him restrained.</p> <p>18 Q. Do you know why -- do you know -- do you know</p> <p>19 today why they were trying to restrain Chris Luke?</p> <p>20 A. To get him out of the block there. They went</p> <p>21 back there to check on him, and he went to fighting</p> <p>22 them.</p> <p>23 Q. Well, when you were in there, you didn't know</p> <p>24 what any of the circumstances or any -- why he was</p> <p>25 fighting?</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. Okay. And that would be his right shoulder?</p> <p>2 A. It would --</p> <p>3 Q. Okay.</p> <p>4 A. -- because I was dealing with his right side.</p> <p>5 Yes, sir.</p> <p>6 Q. And he had his right arm under his stomach.</p> <p>7 Right?</p> <p>8 A. He was fighting with me trying to -- he had a</p> <p>9 handcuff on his right arm, one side of it, and I was</p> <p>10 trying to get it back to get to the left arm to get him</p> <p>11 restrained, and we could be through. He continued to</p> <p>12 fight, and, finally, he got them up under his arm -- his</p> <p>13 arm up under his body, and it took a few -- probably a</p> <p>14 minute or so to be able to get his arm pulled back out</p> <p>15 from up under him.</p> <p>16 Q. And at what point was he restrained?</p> <p>17 A. When I got his arm back out from under him, I</p> <p>18 realized that he had done got this handcuff -- the other</p> <p>19 side hooked to it, and so I went -- I got a key out of</p> <p>20 my pocket. I keep one on a little chain in my pocket.</p> <p>21 I didn't see a keyhole on either side, so I realized he</p> <p>22 had the keyholes together, and I wasn't going to be able</p> <p>23 to get them off of him. You know, he couldn't -- they</p> <p>24 were hinged handcuffs, not chain handcuffs, and I was</p> <p>25 not going to be able to get enough slack to get one in</p>
<p style="text-align: right;">Page 11</p> <p>1 A. No, sir.</p> <p>2 Q. Or why they were trying to restrain him?</p> <p>3 A. No, sir. I was just told that he had -- that</p> <p>4 they were fighting with an inmate in the back, and they</p> <p>5 could not get him restrained.</p> <p>6 Q. Did you ask anybody why they were fighting with</p> <p>7 him?</p> <p>8 A. At that time, I didn't have time to.</p> <p>9 Q. Now, how long -- at what point did you enter the</p> <p>10 room? Describe the scene when you entered B Block.</p> <p>11 A. They were on the floor. Mr. Hickman,</p> <p>12 Mr. Walker -- Nicholas Walker, and Chris were on the</p> <p>13 floor. They were trying to get him handcuffed, and he</p> <p>14 was fighting and scratching or biting at them or</p> <p>15 whatever. I just immediately went down to the -- to</p> <p>16 right in the corner of his head trying to get secured to</p> <p>17 where he couldn't move to bite at them anymore. I</p> <p>18 thought maybe I could talk to him, because I've been</p> <p>19 knowing Chris, you know, a lot of times for a lot of</p> <p>20 years, and he just -- he wasn't -- he wasn't listening.</p> <p>21 Q. You pointed to the right side of your neck. Is</p> <p>22 that where your knee was on Chris?</p> <p>23 A. It was right around his shoulders.</p> <p>24 Q. Where his neck meets his shoulder?</p> <p>25 A. Just to where he couldn't come up off the floor.</p>	<p style="text-align: right;">Page 13</p> <p>1 there. So I -- by the time I realized all that, the</p> <p>2 Sheriff and Deputy Burt had made it back to the block.</p> <p>3 I asked Deputy Burt for a pair of handcuffs, and he</p> <p>4 handed me a pair of handcuffs. I put one on his right</p> <p>5 arm where the other ones was already at and brought it</p> <p>6 back around, and then Officer Walker and Officer Hickman</p> <p>7 had his left arm brought to me and put the one on his</p> <p>8 left arm, and he was restrained.</p> <p>9 Q. What happened next?</p> <p>10 A. I got up.</p> <p>11 Q. And what happened next?</p> <p>12 A. We went to try to get him up to roll him up off</p> <p>13 the floor up on to his -- I guess you'd say his hips or</p> <p>14 whatever to stand him up with the intent to take him out</p> <p>15 of the block to figure out what was going on.</p> <p>16 Q. Okay. What happened next?</p> <p>17 A. He got -- Officer Hickman and Officer Nick Walker</p> <p>18 were walking him to the door. And when he got to the</p> <p>19 door, he just from -- they're holding him. He picks his</p> <p>20 feet up and pushes on the door pushing them backwards</p> <p>21 and back to the floor they went.</p> <p>22 Q. All right. None of that's on the video that I</p> <p>23 recall. The part of the video --</p> <p>24 A. You can't see the doorway from the video -- from</p> <p>25 where the camera's mounted. You can't see the door to</p>

<p style="text-align: right;">Page 14</p> <p>1 the block.</p> <p>2 Q. The last thing on the video is Walker and Hickman</p> <p>3 going down with Chris. That's the last thing that's on</p> <p>4 the -- so what you've described, none of that is on the</p> <p>5 video.</p> <p>6 MR. GRIFFIN: Object to the form.</p> <p>7 BY MR. WALLER:</p> <p>8 Q. Have you seen the video?</p> <p>9 A. Yes.</p> <p>10 Q. Do you agree with that, that what you've just</p> <p>11 described is not on the video?</p> <p>12 A. I remember seeing him going back to the ground.</p> <p>13 Q. The second time?</p> <p>14 A. I'm pretty sure. Yes, sir.</p> <p>15 Q. All right. So he refused to go out the door. Is</p> <p>16 that where you left off?</p> <p>17 A. He fought them trying to go out the door.</p> <p>18 Q. So he's handcuffed with his hand behind his back?</p> <p>19 A. He is.</p> <p>20 Q. And what happened next?</p> <p>21 A. We were able to stand him up, and Officer Walker</p> <p>22 and Officer Hickman physically carried him out of the</p> <p>23 block like with his feet up off the ground.</p> <p>24 Q. Okay. And where did they take him?</p> <p>25 A. To the booking area of the jail.</p>	<p style="text-align: right;">Page 16</p> <p>1 got in there, how long -- how much time had passed?</p> <p>2 A. One minute maybe. Time enough for me to get up</p> <p>3 out of my chair and go to the door to the jail -- the</p> <p>4 other side of the building houses the sheriff's</p> <p>5 department, and I -- if my memory's correct, I opened</p> <p>6 the door, and I said, "We need some help in the back,"</p> <p>7 and then I went to the jail. They clicked the door</p> <p>8 open, and I went right on up and around.</p> <p>9 Q. When did you -- when did you have a chance to</p> <p>10 view the video?</p> <p>11 A. I didn't view the video until after Chris was</p> <p>12 released from jail, I don't think.</p> <p>13 Q. After you made your report?</p> <p>14 A. I don't have any idea, sir, whether it was before</p> <p>15 or after.</p> <p>16 Q. He was released on the 30th?</p> <p>17 A. Yes.</p> <p>18 Q. He was sent to the hospital on the 30th?</p> <p>19 A. Yes.</p> <p>20 Q. So that was the day you wrote your report --</p> <p>21 A. Yes.</p> <p>22 Q. -- and possibly had looked at the video? I'm not</p> <p>23 trying to trick you.</p> <p>24 A. I looked at the video --</p> <p>25 Q. If you don't remember --</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Okay. And they put him in the detox?</p> <p>2 A. Yes, sir.</p> <p>3 Q. And did he continue to resist?</p> <p>4 A. We were able to get the handcuffs off of him. I</p> <p>5 told them that -- the jail staff, you know, we're going</p> <p>6 to have to get him cleaned up. He had some OC spray,</p> <p>7 you know, "Y'all know we've got to clean him up at some</p> <p>8 point," and I did tell him we'd have to get the</p> <p>9 handcuffs off of him. Then I went on back to my office,</p> <p>10 because they -- it was kind of secured at that point</p> <p>11 after he had calmed down, and, you know, we could figure</p> <p>12 out what was going on. We'd go ahead and get him</p> <p>13 cleaned up because nobody really wants to -- you know,</p> <p>14 when I've been sprayed or whatever, I don't want to talk</p> <p>15 until I get that stuff off of me. So there wasn't any</p> <p>16 point in trying to talk to him right at that moment</p> <p>17 about what the heck had happened.</p> <p>18 Q. Who sprayed him?</p> <p>19 A. On the video, it appeared to be Nick Walker.</p> <p>20 Q. And at what point did he spray him?</p> <p>21 A. Before I ever got in there.</p> <p>22 Q. So how long of a period of time had they been</p> <p>23 tussling with Chris before you got in there?</p> <p>24 A. I don't know, sir. I've seen the video --</p> <p>25 Q. From the time you got the call until the time you</p>	<p style="text-align: right;">Page 17</p> <p>1 A. I want to say it was after he was released.</p> <p>2 That's when started finding out --</p> <p>3 Q. What happened?</p> <p>4 A. -- that the inmates were telling us that there</p> <p>5 had been altercation.</p> <p>6 Q. Do you know why Crockett didn't tell anybody what</p> <p>7 had happened, or did she tell anybody what happened?</p> <p>8 A. She didn't tell me.</p> <p>9 Q. Did she tell Hickman?</p> <p>10 A. I don't have any idea. My understanding -- you</p> <p>11 know, my understanding was that she was in the tower and</p> <p>12 observing the women's Christian ministries or whatever</p> <p>13 that goes into the jail -- into the women's block on</p> <p>14 Tuesday afternoon, and we had them actually in the block</p> <p>15 with the women. I was under the impression, you know,</p> <p>16 that's probably what she was --</p> <p>17 Q. So she was not -- she did not see what happened?</p> <p>18 She could not see what happened?</p> <p>19 A. I don't know.</p> <p>20 Q. So she was alerted as to what happened by the</p> <p>21 inmates?</p> <p>22 A. That's my understanding.</p> <p>23 Q. Okay. Is it your policy for somebody to be away</p> <p>24 from the videos -- the cameras?</p> <p>25 A. Well, she wasn't away from the videos. She just</p>

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<p>1 had that one block pulled up and had the screen on that</p> <p>2 one block instead of the seven or eight, ten pictures or</p> <p>3 whatever is on there.</p> <p>4 Q. So she couldn't see the other pictures?</p> <p>5 A. I don't know whether she could or not. I'm</p> <p>6 just say --</p> <p>7 Q. Did you ask her?</p> <p>8 A. I have not.</p> <p>9 Q. All right. Let's go to Page 2 of your report.</p> <p>10 A. Would you like me to continue reading it?</p> <p>11 Q. No. Let's just -- let me just scan it here and</p> <p>12 see if there is -- I've got to pay for every word you</p> <p>13 say, so I'm going to limit it.</p> <p>14 A. I'll be glad to.</p> <p>15 Q. I think you've been over most of this. Let's</p> <p>16 see. I think you said earlier that you -- that was out</p> <p>17 of character for Chris to be as combative as he was. Is</p> <p>18 that true?</p> <p>19 A. In my knowledge of him, yes, sir.</p> <p>20 Q. Yeah. Now that you know that he was -- after you</p> <p>21 saw the video, did that explain some of his behavior?</p> <p>22 A. In my mind, yes, sir.</p> <p>23 Q. Okay. Now, he's lost hearing in his left ear</p> <p>24 according to his doctor, and it was explained by the</p> <p>25 doctor that it was damage to the nerve that's behind his</p>	<p>1 with us. I got his hand back out from underneath him.</p> <p>2 I then realized that he had both halves of the cuff on</p> <p>3 his right wrist. I tried to uncuff a half of the cuffs</p> <p>4 and learned that he had the key holes facing each other.</p> <p>5 I was not able to get the key to unlock the cuffs -- a</p> <p>6 key in to unlock the cuffs. By now, sheriff -- the</p> <p>7 Sheriff and Deputy Burt had arrived. Burt gave me a</p> <p>8 pair of handcuffs. I started over on his right wrist,</p> <p>9 and the other officers moved him around so that we could</p> <p>10 reach the left wrist. He was cuffed, and Officer Walker</p> <p>11 started to carry him out of the cell block. Officer</p> <p>12 Hickman soon began to assist Officer Walker. Chris Luke</p> <p>13 was taken to the booking area and put in to the Detox 2,</p> <p>14 which is the smaller detox cell. The second set of</p> <p>15 cuffs were removed from his wrist. I told the jail</p> <p>16 officers that we would have to try to get him cleaned up</p> <p>17 since I could smell that OC had been used in the block.</p> <p>18 I wasn't sure how much was on Luke because his eyes were</p> <p>19 open, and he was breathing well enough to keep resisting</p> <p>20 us. Officer Walker was able to get Chris Luke up and</p> <p>21 into the shower area. Officer Walker soon came to my</p> <p>22 office and informed me that Chris Luke had struck him</p> <p>23 with a pair of handcuffs that were locked to his wrist.</p> <p>24 I told Officer Walker that we would have to get -- cut</p> <p>25 those cuffs off before he hurt himself or someone else</p>
Page 19	Page 21
<p>1 left ear. Do you know how that could have occurred?</p> <p>2 A. No, sir. I mean, I just watched the same video</p> <p>3 that you have.</p> <p>4 Q. But he was combative in places other than the</p> <p>5 video. He was -- I think we said earlier that he was</p> <p>6 combative when he was in the detox room, but he was not</p> <p>7 combative in the isolation room. Is that right?</p> <p>8 A. He was never with me when I spoke to him when he</p> <p>9 was in isolation.</p> <p>10 Q. Okay. But he was in isolation Wednesday, the day</p> <p>11 after this event?</p> <p>12 A. I spoke to him there Wednesday afternoon. I</p> <p>13 don't know exactly what time they moved him.</p> <p>14 Q. Is that in your report?</p> <p>15 A. Probably. On Tuesday afternoon, he was in</p> <p>16 Detox 2 which was the smaller detox designed for</p> <p>17 females. It just happened to be empty at the time, and</p> <p>18 that's where they put him.</p> <p>19 Q. Why don't we -- why don't you go ahead and</p> <p>20 read -- pick up where you left off. Let's just read</p> <p>21 through it. Maybe something --</p> <p>22 A. From Page 2?</p> <p>23 Q. Yes, sir.</p> <p>24 A. "I was trying to talk to Chris in an effort to</p> <p>25 calm him down, but he continued to fight and struggle</p>	<p>1 doing that. I gave Walker a pair of bolt cutters and</p> <p>2 sent him to get them off of Luke. He came back and told</p> <p>3 me that Chris Luke would not let him cut the cuffs off</p> <p>4 and was struggling with them. I told them that the</p> <p>5 cuffs had to come off. I got up and went and asked the</p> <p>6 Sheriff to come back and see if he would let us get them</p> <p>7 off," he being Luke. "When I went to the detox cell,</p> <p>8 Chris Luke was on the floor and appeared to be asleep.</p> <p>9 I tried to wake him up and finally got an ammonia cap</p> <p>10 and put under his nose. He responded to that and got it</p> <p>11 under him that he put his head back down. I told the</p> <p>12 officers that we would go ahead and cut the cuffs of him</p> <p>13 while he wasn't fighting. Myself, Officer Guess, and</p> <p>14 Hickman started trying to get the cuffs off. I called</p> <p>15 Chris by name and told him not to fight me. I then told</p> <p>16 him that I had to get the cuffs off of him and for him</p> <p>17 to hold his arm out. He held his arm out, and I held</p> <p>18 his arm. Officer Guess cut the hinged cuffs off, and</p> <p>19 Officer Hickman took his key and removed the two halves</p> <p>20 from his wrist. He wasn't really very responsive at</p> <p>21 this point. I told the jailers that he was acting like</p> <p>22 he had had a seizure. Officer Walker stated that he</p> <p>23 knew exactly what he was doing when he was in the block</p> <p>24 when he bit Walker and Officer Guess. I told them that</p> <p>25 they had to keep a close eye on him regardless, because</p>

6 (Pages 18 to 21)

<p style="text-align: right;">Page 22</p> <p>1 he had never -- I had never known Chris to act anything 2 like this. I contacted Chief Cox and told him what had 3 occurred with Chris, and that he wasn't acting normal. 4 I told Chief Cox that they would need to come check on 5 him, because he was their prisoner. Bill said that he 6 would send someone. As I left the nurses' station a few 7 minutes later, I saw Chris standing at the door of the 8 detox cell. He appeared shaken -- he appeared very 9 shaky on his feet, and I told him go sit down before he 10 fell down. He made his way to the back of the cell and 11 sat down. In just a few minutes, Captain Rafferty came 12 to the jail to check on him. I told Rafferty that he 13 had just been standing up, and that I had him to sit 14 down. Captain Rafferty tried to talk to Chris from the 15 door. Chris had laid back down on the floor and 16 appeared unresponsive. I took another ammonia cap into 17 the cell and placed it under Chris' nose. He responded 18 to the ammonia, and Captain Rafferty was able to talk to 19 him for a few minutes." [sic] 20 Q. Hold on a second. What part -- what time of day 21 is that? 22 A. What time of day is it that this occurred? 23 Q. Yeah. Is this -- 24 A. Somewhere just after the three o'clock hour -- 25 between three and four o'clock in the afternoon.</p>	<p style="text-align: right;">Page 24</p> <p>1 for the headache. He said no. I asked the general 2 staff, and nobody had given him any Tylenol or other 3 pain relief. I got him two Tylenols and gave them to 4 him at his request. He took them while I was there. 5 Upon leaving the jail, Mr. Luke drove up, Danny Luke, 6 and I told him that Chris able to talk to me, and that 7 he was -- still didn't seem like himself. I told Mr. 8 Luke that I was going to have the nurse check him when 9 she came in on Thursday morning. On Thursday morning, I 10 asked Sonya Rainey to go to the isolation cell to check 11 on Chris Luke. After doing so, she contacted the police 12 department and informed them that someone -- and 13 informed them to have someone come and get him checked 14 out. 15 Sergeant Danny Carter came to the jail, and the 16 nurse told him that he'd be -- he had to be checked out. 17 Danny told her that he had to call Chief Cox before 18 doing that. Nurse Rainey told him that that was who she 19 tried to speak to when she got -- when he got sent over. 20 Danny contacted the police department or Chief Cox, and 21 it was decided to have EMS come to the jail and check on 22 Chris Luke. I was in the booking area when EMS came in 23 and went with them to check on him. Chris didn't seem 24 very responsive when they were talking to him. His 25 blood sugar and blood pressure were over the normal</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. This is the 28th? 2 A. 28th. 3 Q. Yeah. Okay. Go ahead. 4 A. "Rafferty then called Chief Cox. Rafferty told 5 Cox that he would be all right. He then left the jail. 6 I told the jail staff to continue to keep a close watch 7 on Chris Luke throughout the evening and be sure to pass 8 the information of the incident onto the oncoming shift 9 at 2300 hours. I called the jail around 2000 hours to 10 check on him. I was told that the male officers had 11 been able to get Chris into the shower and were getting 12 him cleaned up. I took that as a positive sign. 13 The next morning, I was told that the police 14 department refused or decided against taking Luke to 15 court because he wasn't acting right. I went to the 16 cell that Chris was in on Wednesday afternoon around 17 1600. I was able to talk to Chris, and he talked to me. 18 He asked about getting a bond, and I told him that I 19 didn't think the judge would allow him a bond since he 20 was already out on a bond. I told him that his father 21 had talked to the court and had been here to check on 22 him. He asked where Danny Luke was, and I told him that 23 he wasn't here right now, but he had been here. I asked 24 him how he was feeling, and he told me he had a bad 25 headache. I asked him if he had received any medicine</p>	<p style="text-align: right;">Page 25</p> <p>1 limits, and EMS advised that it was up to them, 2 parentheses, PD whether they wanted him transported. 3 While the PD was trying to decide what to do, I told EMS 4 that Chris had been acting this way since being involved 5 in an altercation on Tuesday. One of the medics asked 6 me if he always stuttered when he talked. I told him 7 that he did not -- did not usually act this way. The 8 other medic seemed to take notice of that and began to 9 feel on Luke's head. He stated that it was a sign of 10 possible skull fracture, and that he needed to be taken 11 to the ER to be evaluated. The PD agreed to that, and 12 EMS loaded him up and transported him. Luke was able to 13 stand get on the stretcher. 14 Later, I was contacted by Chief Cox and told they 15 were going to release him on a recog bond, that he was 16 going to require more testing. They sent someone to the 17 jail to get the bond for -- bond form and later brought 18 it to the -- brought it back. I went and reviewed the 19 tape and observed William Smith assault Chris Luke. The 20 behavior -- the behavior seen in Luke started at that 21 point as best I can tell. Nothing follows." [sic] It's 22 signed with my signature and badge number on -- dated 23 May the 30th, 2013. 24 Q. Anything in the report you want to change, or is 25 it all still true and correct?</p>

7 (Pages 22 to 25)

<p style="text-align: right;">Page 26</p> <p>1 A. No, sir. I believe it to be true and correct.</p> <p>2 Q. Okay. What is the -- when is mace used in the</p> <p>3 jail? What is your policy on that?</p> <p>4 A. It's in the level of force of non-lethal force</p> <p>5 used to defend -- you know, an officer to defend himself</p> <p>6 or to defend a third person, whether it be another</p> <p>7 jailer or whether it be another inmate being attacked,</p> <p>8 to enforce the jail rules if a person flat refuses to,</p> <p>9 you know, do according to what the rules are or if a</p> <p>10 person's trying to escape or something like that. If</p> <p>11 you don't have any success in trying to talk to an</p> <p>12 individual or physically trying to break up an</p> <p>13 altercation, then OC spray is the next level in the use</p> <p>14 of force.</p> <p>15 Q. Do you know how long they had been in the day</p> <p>16 room struggling with Chris when you got there?</p> <p>17 A. How long the officers?</p> <p>18 Q. Yeah.</p> <p>19 A. Not too awful long before she -- I don't know</p> <p>20 whether it was two minutes or --</p> <p>21 Q. Less than five minutes?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Okay.</p> <p>24 A. If you struggle and fight with somebody for five</p> <p>25 minutes, you're going to be about wore out anyway.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Yeah. I think Walker said he sprayed it on a</p> <p>2 towel, maybe, and put it over -- is that --</p> <p>3 A. I don't know. I just know his eyes -- usually,</p> <p>4 if you have a direct hit on somebody, it's going to</p> <p>5 close -- it closes my eyes.</p> <p>6 Q. Right. Were you able -- were those cuffs cut off</p> <p>7 of Chris, the hinged cuffs? Were y'all able to cut the</p> <p>8 hinge? I'm just curious. Or were you able to use the</p> <p>9 key to get them off?</p> <p>10 A. We cut the hinge to free him.</p> <p>11 Q. Okay.</p> <p>12 A. To free -- what would freed it off of his arm so</p> <p>13 that we could a get key in there.</p> <p>14 Q. And then you used the key to get the actual cuffs</p> <p>15 off?</p> <p>16 A. Yes. And it took all three of us -- because</p> <p>17 every time -- they were hinged cuffs, so that's</p> <p>18 different than --</p> <p>19 Q. Chain?</p> <p>20 A. -- chains.</p> <p>21 Q. Yeah.</p> <p>22 A. And every time we would try to cut, it was</p> <p>23 bending into Chris's wrist, and so I -- I held the cuff</p> <p>24 while Mr. Guess clipped the first hinge. And once he</p> <p>25 clipped the first one, the rest of them come a lot</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. There was -- some time had passed from the time</p> <p>2 Luke was struck and Hickman and Walker got there and</p> <p>3 Guess. What is the -- how do the inmates in the zone,</p> <p>4 Block B, communicate with the control room? If they</p> <p>5 need help, do they --</p> <p>6 A. You usually would -- you can hear the hollering.</p> <p>7 They'll holler so loud it'll echo in the jail, or</p> <p>8 they'll beat on the doors, walls, or whatever.</p> <p>9 Q. Okay. Do you recall how long it took for them to</p> <p>10 get there from the time they started hollering?</p> <p>11 A. Not very.</p> <p>12 Q. Not very long?</p> <p>13 A. If they had -- in my memory of the video, they</p> <p>14 sat there for a long time before anybody tried to help</p> <p>15 him.</p> <p>16 Q. Yeah.</p> <p>17 A. And then finally somebody come and banged on</p> <p>18 the -- on the window there across from the control tower</p> <p>19 and got the officer's attention, and then she called for</p> <p>20 somebody being down.</p> <p>21 Q. Do you know if Chris was sprayed with mace more</p> <p>22 than one time?</p> <p>23 A. No, sir, I don't. Honestly, I don't know that he</p> <p>24 was -- the spray actually hit him, because he never -- I</p> <p>25 could just smell it in the block, so I assumed it.</p>	<p style="text-align: right;">Page 29</p> <p>1 easier. But I held it to keep it break from breaking</p> <p>2 Chris's wrist.</p> <p>3 Q. And when was that? About what time would that</p> <p>4 have happened that it was actually taken?</p> <p>5 A. Sometime between the three and four o'clock hour</p> <p>6 there.</p> <p>7 Q. Okay. Was Walker still there or had he left?</p> <p>8 A. I don't -- I don't know whether he was still in</p> <p>9 the -- he wasn't right there with us. It was myself</p> <p>10 and -- my report said myself and Guess. Now, Guess was</p> <p>11 on the bolt cutters, and I was holding his wrist, and</p> <p>12 Officer Hickman was standing there with the key.</p> <p>13 Q. And he was not combative at that point?</p> <p>14 A. He did not fight me. No.</p> <p>15 Q. Okay.</p> <p>16 A. Chris had been knowing me for a lot of years,</p> <p>17 too. I mean, I don't know that that has a thing to do</p> <p>18 with it, but Chris has been knowing me for a lot of</p> <p>19 years. I told him, "Don't fight me," and he didn't.</p> <p>20 Q. Why do you think he fought you in the day room?</p> <p>21 He didn't know who you were? He couldn't see you?</p> <p>22 Didn't recognize you? Couldn't hear you?</p> <p>23 MR. GRIFFIN: I'm going to object. Calls for</p> <p>24 speculation.</p> <p>25 A. I don't know.</p>

<p style="text-align: right;">Page 30</p> <p>1 BY MR. WALLER:</p> <p>2 Q. Did he know you were in the day room?</p> <p>3 A. I don't know that, either. I mean, I just</p> <p>4 don't -- he never acknowledged me that he -- he never</p> <p>5 called me by name, or he never acted as if I was there,</p> <p>6 because I tried to talk to him in there and get him to</p> <p>7 --</p> <p>8 Q. Until you got him to the detox room, and then he</p> <p>9 was looking at you, and he would acknowledge you at that</p> <p>10 point? That was hour or later or so?</p> <p>11 A. That was late -- it had been a while.</p> <p>12 Q. A couple of hours later?</p> <p>13 A. It wasn't two hours. It was some time -- it</p> <p>14 might have been an hour and a half.</p> <p>15 Q. But at that point, he acknowledged you?</p> <p>16 A. He did --</p> <p>17 Q. That was the first time he acknowledged you?</p> <p>18 A. He didn't call -- he didn't call me by name, but,</p> <p>19 you know, I told him who I was and what we had to do --</p> <p>20 we had to get it off and for him not to fight. You</p> <p>21 know, "Give me your arm, and don't fight me," and he</p> <p>22 did. He never said anything to me that I remember, but</p> <p>23 he did give me his arm, and he didn't -- he didn't jerk</p> <p>24 or try to bite at me or --</p> <p>25 Q. Walker said he -- he no longer works through the</p>	<p style="text-align: right;">Page 32</p> <p>1 A. We try to go, if at all possible, about every</p> <p>2 30-minute interval to not exceed 30 minutes if we can</p> <p>3 possibly help it.</p> <p>4 Q. And as far as the surveillance cameras go, is</p> <p>5 there always somebody in the tower monitoring those?</p> <p>6 A. There's always somebody in the tower whose</p> <p>7 responsibility includes those cameras, pushing the</p> <p>8 buttons to open and to close doors as directed by other</p> <p>9 staff members, and all the phone calls. At that time,</p> <p>10 when a phone call come into the sheriff's department</p> <p>11 that was for the jail, it would come into the tower. It</p> <p>12 still does, but it comes from a different building since</p> <p>13 communications has moved out of our building.</p> <p>14 Q. Was there any indication that this particular</p> <p>15 incident involving Chris Luke and William Smith was</p> <p>16 going to happen before it did?</p> <p>17 A. No idea. We had no idea. The staff hadn't been</p> <p>18 aware of any kind of problem between those two or</p> <p>19 anybody else in the block. Usually, if we -- if</p> <p>20 somebody, you know, says, "Hey, this guy says he's going</p> <p>21 to jump on me when the doors are open," or whatever,</p> <p>22 then we'll stand right there, and we'll move them out of</p> <p>23 the block if -- you know, until we can find out what's</p> <p>24 going on.</p> <p>25 Q. And had Chris Luke ever told you or, to your</p>
<p style="text-align: right;">Page 31</p> <p>1 jail. Did he leave on his own?</p> <p>2 A. Yes, he did. I mean, he transferred to another</p> <p>3 department within the County.</p> <p>4 Q. He still works for the County?</p> <p>5 A. To my knowledge, he does. Yes, sir.</p> <p>6 Q. I didn't ask him that. He may very well.</p> <p>7 A. Yeah. He went to work at the county coliseum.</p> <p>8 Q. I'm going to hand you another document here.</p> <p>9 That's the current Health Care Services Procedures and</p> <p>10 Policies --</p> <p>11 A. Yes, sir.</p> <p>12 Q. -- for the jail?</p> <p>13 A. Yes, sir.</p> <p>14 MR. WALLER: Okay. I'm about finished. I'm just</p> <p>15 trying to make sure I haven't forgotten anything. I</p> <p>16 tender the witness.</p> <p>17 MR. GRIFFIN: I have just a few follow-up</p> <p>18 questions, Mr. Reid.</p> <p>19 EXAMINATION</p> <p>20 BY MR. GRIFFIN:</p> <p>21 Q. You were asked earlier about Ms. Crockett</p> <p>22 monitoring each of the zones on the surveillance video.</p> <p>23 Is there a time period that guards go by each of the</p> <p>24 zones to do like a safety check or welfare check on the</p> <p>25 inmates there?</p>	<p style="text-align: right;">Page 33</p> <p>1 knowledge, any of you staff at the jail, prior to this</p> <p>2 incident, about any threats he had from William Smith or</p> <p>3 any of the other inmates in B Block?</p> <p>4 A. No, sir. Chris had never talked to me about</p> <p>5 anything of that nature. No, sir.</p> <p>6 Q. And is it unusual for inmates to lie down on the</p> <p>7 ground in the day room?</p> <p>8 A. Not at all.</p> <p>9 Q. Okay. Why is that?</p> <p>10 A. Because once they're taken out in the morning,</p> <p>11 the cell doors are shut, and the same thing in the</p> <p>12 afternoon after lunch, and they don't go back in until</p> <p>13 the time for the next meal or whatever. And, you know,</p> <p>14 they'll just lay down and take a nap or put their feet</p> <p>15 up on the wall and do exercises or, you know, just stuff</p> <p>16 like that.</p> <p>17 Q. So if a person in the control tower saw Chris</p> <p>18 Luke or anybody else in a unit laying on the floor,</p> <p>19 would that immediately give her cause for concern?</p> <p>20 A. No.</p> <p>21 Q. But if inmates are beating on the door and</p> <p>22 yelling to the tower, that would be a different story?</p> <p>23 A. Of course. Yes, sir.</p> <p>24 Q. And did you ever see any of the officers strike</p> <p>25 or hit Mr. Luke in his face or head area during this</p>

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1 incident?
 2 **A. I did not.**
 3 Q. Did you see any of the officers kick Mr. Luke
 4 during this incident?
 5 **A. No, sir. No, sir. I did not.**
 6 MR. GRIFFIN: Okay. No further questions.
 7 MR. WALLER: I don't have any further questions.
 8 I did want to mark these exhibits, his statement and
 9 then the three.
 10 MR. GRIFFIN: Okay.
 11 MR. WALLER: A total of four exhibits.
 12 (EXHIBITS 1, 2, 3 AND 4 MARKED.)
 13 (DEPOSITION CONCLUDED AT 11:47 A.M.)

1 CERTIFICATE OF THE DEPONENT
 2 DEPONENT: Jimmy Reid
 3 DATE: April 1st, 2015
 4 CASE STYLE: Christopher C. Luke vs. Neshoba County,
 5 Mississippi, et al.

6 I, the above-named deponent in the deposition
 7 taken in the herein styled and numbered cause, certify
 8 that I have examined the deposition taken on the date
 9 above as to the correctness thereof, and that after
 10 reading said pages, I find them to contain a full and
 11 true transcript of the testimony as given by me.

12 Subject to those corrections listed below, if
 13 any, I find the transcript to be the correct testimony I
 14 gave at the aforesaid time and place.

Page	Line	Comments
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25		

16 This the ____ day of _____, 2015.

17
 18 Jimmy Reid
 19 State of Mississippi
 20 County of _____

21 Subscribed and sworn to before me, this the ____
 22 day of _____, 2015.

23 My Commission Expires:

24 _____
 25 Notary Public

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1
 2 CERTIFICATE OF THE COURT REPORTER

3 I, Katherine Lusk, Court Reporter and Notary Public,
 4 and for the State of Mississippi, hereby certify that
 5 the foregoing contains a true and correct transcript in
 6 the aforementioned matter at the time and place
 7 heretofore stated, as taken by stenotype and later
 8 reduced to typewritten form under my supervision by
 9 means of computer-aided transcription.

10 I further certify that I placed the witness under
 11 oath to truthfully answer all questions in this matter
 12 under the authority vested in me by the State of
 13 Mississippi.

14 I further certify that I am not in the employ of or
 15 related to any counsel or party in this matter and have
 16 no interest, monetary or otherwise, in the final outcome
 17 of this matter.

18 Witness my signature and seal this the ____ day of
 19 _____, 2015.

20
 21 /s/Katherine Lusk_____
 Katherine Lusk, CCR # 1731

22
 23 My Commission Expires:
 November 6, 2015

10 (Pages 34 to 36)